

1 JOHN K. VAN DE KAMP, Attorney General
of the State of California
2 JULIAN O. STANDEN
RICHARD F. FINN
3 Deputy Attorneys General
350 McAllister Street, Room 6000
4 San Francisco, CA 94102
Telephone: (415) 557-1369
5 (415) 557-0653

(ENDORSED)
FILED
SEP 25 1987

GRACE K. YAMAKAWA
County Clerk
Santa Clara County
BY _____ DEPUTY

6 Attorneys for Applicant
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8 SUPERIOR COURT OF THE STATE OF CALIFORNIA
9 FOR THE COUNTY OF SANTA CLARA
10

11 INSURANCE COMMISSIONER OF THE) NO 628383
STATE OF CALIFORNIA,)
12)
Applicant,)
13) ORDER APPOINTING
vs.) LIQUIDATOR AND
14) RESTRAINING ORDERS
HOMELAND INSURANCE COMPANY,)
15 a California corporation,)
16)
Respondent.)
17

18 The verified Application for Order of Liquidation of
19 Respondent Homeland Insurance Company came on regularly for
20 hearing on September 25, 1987. Applicant appeared by her
21 counsel, John K. Van De Kamp, Attorney General of the State of
22 California, by Richard F. Finn, Deputy Attorney General; there
23 being no documents filed in response to said Application or other
24 appearance, and after considering the Application and the
25 arguments of counsel, the court finds as follows:

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1 a. On May 6, 1987, the court herein appointed the
2 Applicant as Conservator of Homeland Insurance Company, a
3 California corporation;

4 b. Homeland Insurance Company is insolvent and efforts to
5 rehabilitate Homeland Insurance Company have been futile.

6 WHEREFORE, IT IS HEREBY ORDERED THAT:

7 1. The Insurance Commissioner of the State of California
8 is appointed in her official capacity as Liquidator of Respondent,
9 Homeland Insurance Company, and directed to liquidate and wind up
10 the affairs of Respondent and to act in all ways and exercise all
11 powers necessary for the purpose of carrying out such order;

12 2. Title to all assets of Respondent now in the
13 possession of the Insurance Commissioner as Conservator hereof, as
14 well as title to any assets of said Respondent discovered hereafter
15 is hereby vested in said Liquidator;

16 3. Said Liquidator, as such, is hereby authorized to pay
17 as expenses of administration, all expenses heretofore incurred by
18 the Conservator of Respondent and presently unpaid and is hereby
19 authorized to pay the full amount of any checks or drafts which
20 have been issued by the Conservator of Respondent and which are
21 presently outstanding and unpaid when said checks or drafts are
22 presented for payment;

23 4. The rights and liabilities of creditors,
24 policyholders, shareholders, and all other persons interested in
25 the assets of Respondent, including the State of California, are
26 fixed as of the date of this order;

27 5. Respondent, its officers, directors, agents and
28 employees and all other persons are hereby enjoined and restrained

1 from transacting any of the business of Respondent or the
2 disposition of any of its assets and property;

3 6. All persons are hereby enjoined and restrained from
4 interference with the possession, title and rights of Applicant, as
5 Liquidator, in and to the assets of Respondent and from
6 interference with the conduct of the liquidator in winding up of
7 the business of Respondent;

8 7. All persons are hereby enjoined from the waste of
9 assets of Respondent;

10 8. All persons are hereby enjoined from instituting or
11 prosecuting any action or proceedings against Respondent, or
12 Applicant as Liquidator of Respondent, without the consent of this
13 court obtained after reasonable notice to said Liquidator;

14 9. All persons are hereby enjoined from obtaining
15 preferences, judgments, attachments or other liens, or making any
16 levy against Respondent or its assets;

17 10. All officers, directors, agents and employees of
18 Respondent are hereby ordered to deliver to said Liquidator all
19 assets, books, records, equipment and other property of said
20 Respondent;

21 11. All funds and bank accounts in the name of
22 Respondent, or Applicant as Conservator, are hereby vested in said
23 Liquidator and said funds shall be subject to withdrawal from said
24 banks upon the order of said Liquidator only;

25 12. All insurance agents and brokers are hereby ordered
26 to account to the Liquidator of Respondent for all funds of
27 Respondent held by them in their fiduciary capacity, as specified
28 in Sections 1733, 1734 and 1735 of the Insurance Code, or due to

1 Respondent, and directed to forward said funds to Applicant as
2 Liquidator, and said funds are vested in Applicant as Liquidator;
3 and

4 13. Said Liquidator is hereby authorized to initiate
5 such equitable or legal actions or proceedings in this or other
6 states as may appear to her necessary to carry out her function
7 as Liquidator.

8 DATED: SEP 25 1987, 1987.

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10 **Thomas P. Hansen**

11 JUDGE OF THE SUPERIOR COURT

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the foregoing instrument is a
correct copy of the original
on file in this office

ATTEST
SEP 25 1987

County Clerk
Santa Clara County
County Clerk and of the Clerk of the Superior Court of
the State of California and for the County of Santa Clara
BY *[Signature]* DEPUTY

